

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars.

1. In the specification

The specification is amended generally to bring the application more in accordance with customary U.S. patent application section headings and parts.

The specification is also amended in several areas to more accurately describe the invention. Support for these amendments is found in the drawings and their corresponding discussions as originally filed.

No new matter is added.

Entry of the Amendment to the specification is respectfully requested in the next Office action.

2. In the claims

Claim 1 is amended to recite a stack inserting device for moving a stack of loose sheet material to be singled along an insertion direction into the deposit position. Support for this amendment is found in Fig. 1 and its corresponding discussion as originally filed.

Claim 1 is also amended to recite that the first feeding element is movable at least along two axes, a first axis of the axes being parallel to the feeding path and a second axis of the axes being orthogonal to both the feeding path and the insertion direction. Support for this amendment is found in Fig. 2d and its corresponding discussion as originally filed.

Claim 1 is further amended to recite that the second feeding element is uniaxially movable along the feeding path from a first position in which a stack of loose sheet material is insertable into the deposit position to a second position in

which the uppermost sheet of the stack contacts the first feeding element. Support for this amendment is found in Fig. 1 and its corresponding discussion as originally filed.

Claims 1 and 13 are amended so that each element or step of the claims is separated by a line indentation.

Claims 1, 2, 5, 7-10, 12, 13, 14, 16, and 19-23 are amended to improve the clarity of the claim language.

Claim 9 is amended to change its dependency from claim 1 to claim 8 in order to provide proper antecedent basis to all of the features of the claim.

Claim 13 is amended to recite the step of moving a stack of loose sheet material to be singled along an insertion direction into a deposit position by means of a stack inserting device. Support for this amendment is found in Fig. 1 and its corresponding discussion as originally filed.

Claim 13 is also amended to recite that the first feeding element is movable at least along two axes, a first axis of the axes being parallel to the feeding path and a second axis of the axes being orthogonal to both the feeding path and the insertion direction. Support for this amendment is found in Fig. 2d and its corresponding discussion as originally filed.

Claim 13 is further amended to recite that the second feeding element is uniaxially movable along the feeding path from a first position in which a stack of loose sheet material is insertable into the deposit position to a second position in which the uppermost sheet of the stack contacts the first feeding element. Support for this amendment is found in Fig. 1 and its corresponding discussion as originally filed.

Claim 24 is amended to recite a method for continuous sheet-by-sheet singling of stacks of loose bank notes comprising the step of utilizing the apparatus of claim 1 to single the stacks of bank notes in a processing apparatus wherein the singled bank notes are automatically checked and deposited.

No new matter is added.

Entry of the Amendment to the claims is respectfully requested in the next Office action.

2. Claim Objections

Reconsideration of this objection is respectfully requested in view of the amendments to claims 1 and 13 which provides that each element or step of the claims is separated by a line indentation.

3. Rejection of claims 9 and 24 under 35 U.S.C. 112 second paragraph

Reconsideration of the rejection of claim 9 is respectfully requested in view of the amendment to claim 9 which changes its dependency from claim 1 to claim 8 in order to provide proper antecedent basis to all of the features of the claim.

Reconsideration of the rejection of claim 24 is respectfully requested in view of the amendment to claim 24 to recite the step of utilizing the apparatus of claim 1 to single the stacks of bank notes in a processing apparatus wherein the singled bank notes are automatically checked and deposited.

Applicant submits that the method steps of claim 24 are clearly defined and thus the claim is definite.

Accordingly withdrawal of these rejections is respectfully requested.

4. Rejection of claim 24 under 35 U.S.C. 101

Reconsideration of this rejection is respectfully requested in view of the amendment to claim 24 to recite the step of utilizing the apparatus of claim 1 to single the stacks of bank notes in a processing apparatus wherein the singled bank notes are automatically checked and deposited.

Applicant submits that claim 24 is a proper process claim.

Accordingly withdrawal of these rejections is respectfully requested.

5. Rejection of claims 1-10 and 13-21 under 35 U.S.C. § 102(b) as being anticipated by U.S. patent 5,538,238 (*Filsinger*)

Reconsideration of this rejection is respectfully requested in view of the amendments to independent claims 1 and 13 and the following remarks which demonstrate that *Filsinger* does not teach every feature of claims 1 and 13 and therefore does not anticipate the pending claims.

Claims 2-10 and 14-21 are also considered to be patentable as containing all of the elements of claims 1 and 13, as well as for their respective individually recited features.

In observing amended claim 1, the claim is directed to an apparatus for continuously singling stacks of loose sheet material having a feeding device for moving stacked loose sheet material to be singled along a feeding path from a deposit position to a position where an uppermost sheet can be grasped by a singling unit, and a stack inserting device for moving a stack of loose sheet material to be singled along an insertion direction into the deposit position, wherein a first feeding element is movable at least along two axes, wherein a first axis is parallel to the feeding path and a second axis is orthogonal to both the feeding path and the insertion direction. Claim 13 is amended in a similar manner.

As is shown in Fig. 2d, in order to provide continuous singling of loose sheet material, the feeding element 2 is moved in a direction orthogonal to both the feeding path 8 and the insertion direction (Figs. 2a, 2b). The feeding element is next moved in a direction parallel to the feeding path 8 and then moved in a direction opposite to the initial movement to a position beneath the combined stack of sheet material.

Filsinger simply does not contemplate the structural arrangement of amended claims 1 and 13 and therefore does not teach every feature of amended claims 1 and 13.

Particularly, *Filsinger* does not disclose a stack inserting device for moving a stack of loose sheet material to be singled along an insertion direction into a deposit position. *Filsinger* discloses a sheet feed 1 having a main pile lift 5 including a vertically movable pile table 4, and an auxiliary pile lift 8 (col. 3, lines 58-62). A sheet pile 19 can be disposed on the pile table 4 where a suction head takes the uppermost sheet and delivers it to a printing press (col. 4, lines 5-7; col. 5, lines 42-47).

Filsinger is silent with respect to the manner in which the sheet pile is moved to its position on the pile table 4. Therefore, *Filsinger* does not teach a stack inserting device for moving a stack of loose sheet material to be singled along an insertion direction into a deposit position.

In contrast to *Filsinger*, pending claims 1 and 13 require a stack inserting device for moving a stack of loose sheet material to be singled along an insertion direction into a deposit position. As such, *Filsinger* does not teach a stack inserting device as recited in amended claims 1 and 13.

Filsinger also does not disclose a first feeding element movable at least along two axes, wherein a first axis is parallel to a feeding path and a second axis is orthogonal to both the feeding path and an insertion direction. As *Filsinger* does not disclose a stack inserting device or a stack inserting direction, *Filsinger* does not disclose a feeding element movable along a second axis which is orthogonal to an insertion direction, as is required by amended claims 1 and 13.

In observing Fig. 1, sheets of the sheet pile 19 are clearly moved to the deposit position shown in Fig. 1 from a position outside of the walls 2,3 and facing the face ends 14,15. In other words, the sheets are slid in a direction parallel to the lengthwise direction of the rods 22 to the position between the walls 2,3. Therefore, the insertion direction of the sheets is the direction parallel to a lengthwise direction of the rods 22, as shown in Fig. 1.

Even assuming the insertion direction as discussed above, *Filsinger* still does not disclose a first feeding element movable at least along two axes, wherein a first axis is parallel to a feeding path and a second axis is orthogonal to both the feeding path and an insertion direction.

Pile table 4 of *Filsinger* is movable vertically between walls 2,3 and has longitudinal indentations 21 for receiving rods 22 (col. 4, lines 6-10). When the height of the sheet pile 19 becomes small, an operator slides the rods into the longitudinal indentations (col. 5, lines 50-52). The auxiliary pile lift 8 is then moved upwardly so that the rods rest on the rails 10,16 of the auxiliary pile lift (col. 5, lines 51-55). The main pile table is then moved downwardly to receive a new sheet pile (col. 5, lines 58-61).

The rejection relies on the rods 22 as a teaching of the first feeding element. It appears that the rejection relies on the direction of the vertical movement of the pile table 4 as a feeding path. In observing Fig. 1, the rods 22 are moved in a direction parallel to their lengthwise direction so that they are placed in the indentations 21 of the main pile table. The rods are then moved vertically by the auxiliary lift 8. Therefore, the two directions in which the rods move are a first direction parallel to their lengthwise direction and as second direction parallel to the vertical movement of the auxiliary lift 8.

Since the only axes the rods move along are a first axis parallel to their lengthwise direction and a second axis parallel to the vertical movement of the auxiliary lift, the rods do not move along an axis that is orthogonal to both a feeding path and an insertion direction, as is required by amended claims 1 and 13.

Indeed, the rods move along a first axis in their lengthwise direction which is parallel to the insertion direction, not orthogonal to the insertion direction as required by amended claims 1 and 13. The rods also move along a second axis in accordance with the vertical movement of the auxiliary lift which is parallel to the feeding path, not orthogonal to the feeding path as required by amended claims 1 and 13.

In contrast to *Filsinger*, the first feeding element of amended claims 1 and 13 is movable at least along two axes, wherein a first axis is parallel to a feeding path and a second axis is orthogonal to both the feeding path and an insertion direction. As such, *Filsinger* does not teach a first feeding element being movable along a second axis that is orthogonal to both the feeding path and an insertion direction as recited in amended claims 1 and 13.

In summary, *Filsinger* does not teach a stack inserting device and a first feeding element being movable along a second axis that is orthogonal to both the feeding path and an insertion direction. As such, *Filsinger* does not teach every feature of amended claims 1 and 13 and therefore does not anticipate claims 1 and 13.

As mentioned above, applicants submit that independent claims 1 and 13 are patentable and therefore, claims 2-10 and 14-21, which depend from claims 1 and 13, are also considered to be patentable as containing all of the elements of claims 1 and 13, as well as for their respective individually recited features.

6. Rejection of claims 11, 12, 22 and 23 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 5,538,238 (*Filsinger*)

Reconsideration of this rejection is respectfully requested in light of the observations noted above and the amendments to independent claims 1 and 13, from which claims 11, 12, 22 and 23 depend.

It is submitted that claims 11, 12, 22 and 23 are patentable at least in view of their dependency from claims 1 and 13, as well as for their respective individually recited features.

Accordingly, withdrawal of this rejection is respectfully requested.

7. Conclusion

As a result of the amendment to the claims, and further in view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that every pending claim in the present application be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the applicants' attorney, the examiner is invited to contact the undersigned at the numbers shown below.

BACON & THOMAS, PLLC
625 Slaters Lane, Fourth Floor
Alexandria, Virginia 22314-1176
Phone: (703) 683-0500
Facsimile: (703) 683-1080

Date: September 11, 2008

Respectfully submitted,



JUSTIN J. CASSELL
Attorney for Applicants
Registration No. 46,205